

# FOIA Report of Non-Sensitive Compliance Monitoring and Enforcement Data

Report run on: July 31, 2018 - 10:40 AM

Version 5.0

## User Selection Criteria

Location:	New Jersey, all activities	Activity Location:	None Chosen
Handler ID:	NJD011979945	Group of IDs:	None Chosen
Handler Name:			
Handler Universe:	All Facilities Regardless of Universe		
Determined Date Range:	From: 10/01/1980 To: 07/31/2018		
Location County Code:	None Chosen	Evaluation Type:	
Location City:		Focus Area:	
Location Zip Code:		Violation Type:	
State District:	None Chosen	Display Code Descrip.:	Yes
Sort Order:	Region, State, Handler Name	Display Universes:	Yes

## Results

Data meeting the criteria you selected follows.

Total Pages:9      Total Handlers:1

## Report Description

This report presents available information from the Resource Conservation and Recovery Act Information System (RCRAInfo) about compliance evaluations, violations, and enforcement actions meeting the criteria supplied by the user. Evaluations showing no violations does not always indicate that no violations were determined. Violation without enforcement actions does not always mean no enforcement action will be issued. In order to avoid releasing enforcement sensitive information to the public the following information is not shown on the report: pending civil / judicial referrals, criminal actions and referrals, and State to EPA referrals; all other enforcement actions are released.

## Report Information

Name: cme\_foia.rdf  
Developed by: EPA Headquarters, Office of Enforcement and Compliance Assurance  
Deployed: June 2006  
Last Updated: May 2012  
Contact: rcrainfo.help@epa.gov  
Tables Used: cmecomp3, ccitation3, hreport\_univ5, lu\_citation, lu\_state, hid\_groups  
Libraries: none

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## DELEET MERCHANDISING

County Name / Code: ESSEX / NJ013

NJD011979945

Location: 26 BLANCHARD ST; NEWARK, NJ 07105

REGION 02

Mailing: 26 BLANCHARD ST; NEWARK, NJ 07105

Activity Location: NJ	State District: NORTHERN	Accessibility:	Non-Notifier:	Extract Flag: Y	Active Site: Y
Generator: LQG	Transporter: N	Operating TSDF: -----	IC In Place: N	El Indicator (HE / GW): N / N	
Short-Term Gen: Y	Transfer Facility: N	Offsite Receiver: N	HSM: N	Subpart K: ----	
Full Enforcement: -----	Converter: -----	State Unaddressed SNC: N	EPA Unaddressed SNC: N		
CA Wrld: N	State TSDF: -----	State Addressed SNC: N	EPA Addressed SNC: N		
Active State Gen: N		State SNC w/Comp Sched: N	EPA SNC w/Comp Sched: N		

<b>Violation:</b>	Activity Location: NJ	Type: 262.C	Determined Date: 06/07/2013	Determined by Agency: State	Responsible Agency: State
	Scheduled Compliance Date: 07/07/2013		Actual Compliance Date: 06/11/2013	RTC Qualifier: DOCUMENTED	Sequence Number: 13
	Citation Information: Seq #	Type	Citation		
	1	FEDERAL REGULATION	262.34(a)(2)		
CEI Evaluation	06/07/2013	Activity Location: NJ	By: State	Identifier: 001	Person: NOSDS
Citizen Complaint: NO		Multimedia Inspection: YES	Sampling: NO	Not Subtitle C: NO	Day Zero: 06/07/2013
					Found Violation: YES
					Focus Area:
Enforcement:	Activity Location: NJ	Type: 120	Action Date: 06/07/2013	Identifier: 001	
Docket:		Agency: State	Responsible Person: NOSDS	Branch:	
CA Component: Y		Disposition Status:	Appeal Initiated:	Appeal Resolved:	

<b>Violation:</b>	Activity Location: NJ	Type: 262.A	Determined Date: 11/17/2010	Determined by Agency: State	Responsible Agency: State
	Scheduled Compliance Date: 12/17/2010		Actual Compliance Date: 01/07/2011	RTC Qualifier: OBSERVED	Sequence Number: 6
	Citation Information: Seq #	Type	Citation		
	1	FEDERAL REGULATION	262.11		
CEI Evaluation	11/17/2010	Activity Location: NJ	By: State	Identifier: 001	Person: TOPHT
Citizen Complaint: NO		Multimedia Inspection: YES	Sampling: NO	Not Subtitle C: NO	Day Zero: 11/17/2010
					Found Violation: YES
					Focus Area:
Enforcement:	Activity Location: NJ	Type: 310	Action Date: 06/28/2011	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
	Penalty Information: Proposed:	Final Monetary: \$8,000	Collected:	Total Final: \$8,000	
CA Component: N		Disposition Status:	Appeal Initiated:	Appeal Resolved:	
Enforcement:	Activity Location: NJ	Type: 210	Action Date: 06/14/2011	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:	Appeal Resolved:	
Enforcement:	Activity Location: NJ	Type: 120	Action Date: 11/17/2010	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:	Appeal Resolved:	

\* Note: Penalty amount may not reflect all violations cited.

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## DELEET MERCHANDISING, NJD011979945, NEWARK, NJ, continued -

<b>Violation:</b>	Activity Location: NJ	Type: 262.B	Determined Date: 11/17/2010	Determined by Agency: State	Responsible Agency: State
	Scheduled Compliance Date: 12/17/2010		Actual Compliance Date: 01/07/2011	RTC Qualifier: OBSERVED	Sequence Number: 7
Citation Information: Seq #    Type    Citation					
1    FEDERAL REGULATION    262.20(a)					
CEI Evaluation	11/17/2010	Activity Location: NJ	By: State	Identifier: 001	Person: TOPHT
Citizen Complaint: NO		Multimedia Inspection: YES	Sampling: NO	Not Subtitle C: NO	Day Zero: 11/17/2010
					Found Violation: YES
					Focus Area:
Enforcement:	Activity Location: NJ	Type: 310	Action Date: 06/28/2011	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
Penalty Information:    Penalty Information Printed Above					
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
Enforcement:	Activity Location: NJ	Type: 210	Action Date: 06/14/2011	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
Enforcement:	Activity Location: NJ	Type: 120	Action Date: 11/17/2010	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
<b>Violation:</b>	Activity Location: NJ	Type: 265.D	Determined Date: 11/17/2010	Determined by Agency: State	Responsible Agency: State
	Scheduled Compliance Date: 12/17/2010		Actual Compliance Date: 01/07/2011	RTC Qualifier: OBSERVED	Sequence Number: 8
Citation Information: Seq #    Type    Citation					
1    FEDERAL REGULATION    265.52(f)					
CEI Evaluation	11/17/2010	Activity Location: NJ	By: State	Identifier: 001	Person: TOPHT
Citizen Complaint: NO		Multimedia Inspection: YES	Sampling: NO	Not Subtitle C: NO	Day Zero: 11/17/2010
					Found Violation: YES
					Focus Area:
Enforcement:	Activity Location: NJ	Type: 310	Action Date: 06/28/2011	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
Penalty Information:    Penalty Information Printed Above					
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
Enforcement:	Activity Location: NJ	Type: 210	Action Date: 06/14/2011	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
Enforcement:	Activity Location: NJ	Type: 120	Action Date: 11/17/2010	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:

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## DELEET MERCHANDISING, NJD011979945, NEWARK, NJ, continued -

<b>Violation:</b>	Activity Location: NJ	Type: 265.B	Determined Date: 11/17/2010	Determined by Agency: State	Responsible Agency: State
	Scheduled Compliance Date: 12/17/2010		Actual Compliance Date: 01/07/2011	RTC Qualifier: OBSERVED	Sequence Number: 9
	Citation Information: Seq #	Type	Citation		
	1	FEDERAL REGULATION	265.16(c)		
CEI Evaluation	11/17/2010	Activity Location: NJ	By: State	Identifier: 001	Person: TOPHT
Citizen Complaint: NO		Multimedia Inspection: YES	Sampling: NO	Not Subtitle C: NO	Day Zero: 11/17/2010
					Found Violation: YES
					Focus Area:
Enforcement:	Activity Location: NJ	Type: 310	Action Date: 06/28/2011	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
	Penalty Information:	Penalty Information Printed Above			
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
Enforcement:	Activity Location: NJ	Type: 210	Action Date: 06/14/2011	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
Enforcement:	Activity Location: NJ	Type: 120	Action Date: 11/17/2010	Identifier: 001	
Docket:		Agency: State	Responsible Person: TOPHT	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
<b>Violation:</b>	Activity Location: NJ	Type: 262.A	Determined Date: 03/25/2003	Determined by Agency: State	Responsible Agency: State
	Scheduled Compliance Date: 04/01/2003		Actual Compliance Date: 04/02/2003	RTC Qualifier: OBSERVED	Sequence Number: 5
CEI Evaluation	03/25/2003	Activity Location: NJ	By: State	Identifier: 001	Person: NOFA
Citizen Complaint: NO		Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:
					Found Violation: YES
					Focus Area:
Enforcement:	Activity Location: NJ	Type: 120	Action Date: 03/25/2003	Identifier: 001	
Docket:		Agency: State	Responsible Person: NOFA	Branch: N	
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:
<b>Violation:</b>	Activity Location: NJ	Type: 262.A	Determined Date: 12/14/1994	Determined by Agency: State	Responsible Agency: State
	Scheduled Compliance Date: 01/14/1995		Actual Compliance Date: 01/17/1995	RTC Qualifier: OBSERVED	Sequence Number: 4
CSE Evaluation	01/17/1995	Activity Location: NJ	By: State	Identifier: 000	Person: NJBM
Citizen Complaint: NO		Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:
					Found Violation: YES
					Focus Area:
CEI Evaluation	12/14/1994	Activity Location: NJ	By: State	Identifier: 000	Person: NJBM
Citizen Complaint: NO		Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:
					Found Violation: YES
					Focus Area:
Enforcement:	Activity Location: NJ	Type: 120	Action Date: 12/14/1994	Identifier: 000	
Docket:		Agency: State	Responsible Person: NJBM	Branch: M	
CA Component: N		Disposition Status:	Appeal Initiated:		Appeal Resolved:

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## DELEET MERCHANDISING, NJD011979945, NEWARK, NJ, continued -

Violation:	Activity Location: NJ		Type: 262.A	Determined Date: 04/16/1991		Determined by Agency: State		Responsible Agency: State			
	Scheduled Compliance Date: 05/06/1991			Actual Compliance Date: 05/10/1991			RTC Qualifier: OBSERVED		Sequence Number: 2		
	CEI Evaluation	04/16/1991	Activity Location: NJ	By: State	Identifier: 002	Person: R2DEP	Branch:	Found Violation: YES			
	Citizen Complaint: NO		Multimedia Inspection: NO		Sampling: NO		Not Subtitle C: NO		Day Zero:		Focus Area:
Enforcement:		Activity Location: NJ		Type: 120		Action Date: 04/16/1991			Identifier: 001		
Docket:				Agency: State		Responsible Person: R2DEP			Branch:		
CA Component: N		Disposition Status:			Appeal Initiated:			Appeal Resolved:			
Violation:	Activity Location: NJ		Type: 262.A	Determined Date: 04/16/1991		Determined by Agency: State		Responsible Agency: State			
	Scheduled Compliance Date: 05/06/1991			Actual Compliance Date: 05/10/1991			RTC Qualifier: OBSERVED		Sequence Number: 3		
	CEI Evaluation	04/16/1991	Activity Location: NJ	By: State	Identifier: 002	Person: R2DEP	Branch:	Found Violation: YES			
	Citizen Complaint: NO		Multimedia Inspection: NO		Sampling: NO		Not Subtitle C: NO		Day Zero:		Focus Area:
Enforcement:		Activity Location: NJ		Type: 120		Action Date: 04/16/1991			Identifier: 001		
Docket:				Agency: State		Responsible Person: R2DEP			Branch:		
CA Component: N		Disposition Status:			Appeal Initiated:			Appeal Resolved:			
Evaluations With No Violations:											
CEI Evaluation		09/25/2017	Activity Location: NJ	By: State	Identifier: 001	Person: COMLE	Branch:	Found Violation: NO			
Citizen Complaint: NO			Multimedia Inspection: YES	Sampling: NO	Not Subtitle C: NO		Day Zero: 09/25/2017		Focus Area:		
CEI Evaluation		02/04/2014	Activity Location: NJ	By: EPA	Identifier: 001	Person: R2CZ	Branch: CAPSB	Found Violation: NO			
Citizen Complaint: NO			Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO		Day Zero: 02/04/2014		Focus Area:		
CEI Evaluation		06/28/2013	Activity Location: NJ	By: EPA	Identifier: 001	Person: R2MD	Branch: RCB	Found Violation: NO			
Citizen Complaint: NO			Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO		Day Zero: 06/28/2013		Focus Area:		
NRR Evaluation		06/11/2013	Activity Location: NJ	By: State	Identifier: 001	Person: NOSDS	Branch:	Found Violation: NO			
Citizen Complaint: NO			Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO		Day Zero: 06/11/2013		Focus Area:		
NRR Evaluation		01/18/2011	Activity Location: NJ	By: State	Identifier: 001	Person: TOPHT	Branch: N	Found Violation: NO			
Citizen Complaint: NO			Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO		Day Zero: 01/18/2011		Focus Area:		
SNN Evaluation		11/18/2010	Activity Location: NJ	By: State	Identifier: 001	Person: TOPHT	Branch: N	Found Violation: NO			
Citizen Complaint: NO			Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO		Day Zero:		Focus Area:		
SNY Evaluation		11/17/2010	Activity Location: NJ	By: State	Identifier: 002	Person: TOPHT	Branch: N	Found Violation: N/A			
Citizen Complaint: NO			Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO		Day Zero: 11/17/2010		Focus Area:		
CEI Evaluation		10/17/2006	Activity Location: NJ	By: State	Identifier: 001	Person: NOMM	Branch: N	Found Violation: NO			
Citizen Complaint: NO			Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO		Day Zero: 10/17/2006		Focus Area:		

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DELEET MERCHANDISING, NJD011979945, NEWARK, NJ, continued -

CEI Evaluation	12/08/2004	Activity Location: NJ	By: State	Identifier: 001	Person: NORJA	Branch: N	Found Violation: NO
Citizen Complaint:	NO	Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:		Focus Area:
CSE Evaluation	04/02/2003	Activity Location: NJ	By: State	Identifier: 001	Person: NOFA	Branch: N	Found Violation: NO
Citizen Complaint:	NO	Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:		Focus Area:
CEI Evaluation	05/26/1999	Activity Location: NJ	By: State	Identifier: 000	Person: NJJD	Branch: N	Found Violation: NO
Citizen Complaint:	NO	Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:		Focus Area:
CEI Evaluation	03/12/1998	Activity Location: NJ	By: EPA	Identifier: 000	Person: R2BG	Branch: RCB	Found Violation: NO
Citizen Complaint:	NO	Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:		Focus Area:
CSE Evaluation	05/10/1991	Activity Location: NJ	By: State	Identifier: 003	Person: R2DEP	Branch:	Found Violation: NO
Citizen Complaint:	NO	Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:		Focus Area:
NRR Evaluation	01/29/1984	Activity Location: NJ	By: State	Identifier: 001	Person:	Branch:	Found Violation: NO
Citizen Complaint:	NO	Multimedia Inspection: NO	Sampling: NO	Not Subtitle C: NO	Day Zero:		Focus Area:

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Total Number of Handlers: 1

Total Number of Activity Locations: 1

\* End of Report \*

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## Description of codes used on the report:

Universes	Description of Universes
Generator	Indicates that the facility is a Large Quantity Generator (LQG), Small Quantity Generator (SQG), Conditionally Exempt Small Quantity Generator (CEG), or not a generator (N).
Transporter	Indicates that the facility Transports waste subject to RCRA regulations. ('Y' indicates that the facility is in this universe).
Operating TSDF	Indicates that the facility is a Treatment, Storage or Disposal facility subject to any type of enforcement. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
IC in Place	Indicates that the facility has Institutional Controls in place. ('Y' indicates that the facility is in this universe).
EI Indicator (HE / GW)	Indicates that the facility has controls in place for Environmental Indicators. HE - Human Exposures ('+' indicates the exposure exists and is under control; '-' indicates the exposure exists and is not under control; 'N' indicates the exposure does not exist) GW - Groundwater Release ('+' indicates the exposure exists and is under control; '-' indicates the exposure exists and is not under control; 'N' indicates the exposure does not exist)
Short-Term Gen	Indicates that the facility is a short term or one time event generator and not generating from ongoing processes.
Transfer Facility	Indicates that the facility transfers hazardous waste.
Offsite Receiver	Indicates that the facility, whether public or private, currently accepts hazardous waste from another site (site identified by a different EPA ID).
HSM	Indicates that the facility manages hazardous secondary material(s) (e.g. spent material, by-product or sludge) that when discarded, would be identified as hazardous waste.
Subpart K	Indicates that the facility has opted into the subpart K laboratory rule. It then specifies the type of facility (C - College or University; H - Teaching Hospital; N - Non-profit Research Institute; W - withdrawal from the rule)
Full Enforcement	Indicates that the facility is a Treatment, Storage or Disposal facility which is part of the Full Enforcement universe. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
CA Workload	Indicates that the facility is part of the Corrective Action Workload universe. ('Y' indicates that the facility is in this universe).
Active State Gen	Indicates that the facility is an Active State Generator. ('Y' indicates that the facility is in this universe).
Converter	Indicates that the facility is a Converter Treatment, Storage or Disposal facility. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
State TSDF	Indicates that the facility is a State Treatment, Storage or Disposal facility. It then specifies the type of facility (L - Land Disposal; I - Incinerator; B - BIF; S - Storage; T - Treatment)
State Unaddressed SNC	Indicates that the facility is a State Unaddressed Significant Non-Complier. ('Y' indicates that the facility is in this universe).
State Addressed SNC	Indicates that the facility is a State Addressed Significant Non-Complier. ('Y' indicates that the facility is in this universe).
State SNC w/ Compl. Sched	Indicates that the facility is a State Significant Non-Complier with a Compliance Schedule. ('Y' indicates that the facility is in this universe).
EPA Unaddressed SNC	Indicates that the facility is an EPA Unaddressed Significant Non-Complier. ('Y' indicates that the facility is in this universe).
EPA Addressed SNC	Indicates that the facility is an EPA Addressed Significant Non-Complier. ('Y' indicates that the facility is in this universe).
EPA SNC w/ Compl. Sched	Indicates that the facility is a EPA Significant Non-Complier with a Compliance Schedule. ('Y' indicates that the facility is in this universe).

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## Description of codes used on the report:

ACCESSIBILITY - indicates the reason why the handler is not accessible for normal RCRA tracking and processing (previously called Bankrupt Indicator):	
Code	Description
B	indicates that the handler has filed for bankruptcy and bankruptcy litigation is in process.
C	indicates that all RCRA responsibilities for permitting/closure, corrective action, and compliance monitoring and enforcement at the facility have been formally transferred to the CERCLA program or state equivalent.
F	indicates that all responsible parties (owners/operators) for the handler have fled the country or are otherwise not available for prosecution.
L	indicates that the handler's case is tied up in litigation to the extent that further progress in achieving RCRA compliance through normal enforcement is not possible.

NON-NOTIFIER - indicates that the handler has been identified through a source other than Notification and is suspected of conducting RCRA-regulated activities without proper authority:	
Code	Description
E	indicates that the handler was initially a non-notifier, subsequently determined to be exempt from requirements to notify.
O	indicates that the handler is a former non-notifier.
X	indicates that the handler is a non-notifier.

Violation Type	Description
262.A	GENERATORS - GENERAL
262.B	GENERATORS - MANIFEST
262.C	GENERATORS - PRE-TRANSPORT
265.B	TSD IS-GENERAL FACILITY STANDARDS
265.D	TSD IS-CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Evaluation Type	Type Description
CEI	COMPLIANCE EVALUATION INSPECTION ON-SITE
CSE	COMPLIANCE SCHEDULE EVALUATION
NRR	NON-FINANCIAL RECORD REVIEW
SNN	NOT A SIGNIFICANT NON-COMPLIER
SNY	SIGNIFICANT NON-COMPLIER

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Description of codes used on the report:

Enforcement Type	Enforcement Description
120	WRITTEN INFORMAL
210	INITIAL 3008(A) COMPLIANCE
310	FINAL 3008(A) COMPLIANCE ORDER

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